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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/150,577      09/10/1998      DENNIS M. O'CONNOR      INTL-0100-US      6643

21906      7590      09/11/2002

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EXAMINER

CHEVALIER, ROBERT

ART UNIT      PAPER NUMBER

2615

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

MM

**Advisory Action**

Application No.

09/150,577

Applicant(s)

O'CONNOR ET AL. 

Examiner

Bob Chevalier

Art Unit

2615

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 August 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☐ The proposed amendment(s) will not be entered because:  
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: 12 and 15.Claim(s) rejected: 1-5, 11, 13, 14, 16, 17, 20-25.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.  
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: it is believed that the claimed invention is present in the proposed combination of the cited references as indicated in the Final Rejection. Particularly, the claimed feature of providing a zoom function to the second portion being read from the storage medium while the first portion of the video stream is being written is noted to be present in the proposed combination of Sata et al and Gould. See the Response to Arguments presented in the Final Rejection. Moreover, the feature of allowing the video stream to be alternately written to and read from a storage device is clearly present in Sata's Figure 1, components 3-7, and claim 1, where it is disclosed a writing head which can move independently from a reading head, therefore, such a claimed feature of alternately writing while reading video data to and from a storage medium is present in Sata.. Furthermore, the claimed feature of the buffer size being greater or equal to the time it takes to read or write from two buffers to and from the storage device would also be present in the proposed combination of Sata and Honjo presented in the Final Rejection mailed out on 7/22/02 (Paper No.7). Because, such a proposed combination already includes the capability of reading and writing data to and from the two buffers at a time. Therefore, the size of the buffers would necessarily be at least equal to the time it takes to read and write to and from the buffers and to and from the storage device .

  
ROBERT CHEVALIER  
PRIMARY EXAMINER